

EXHIBIT 5

Steven Danekas

From: Steven Danekas
Sent: Friday, February 8, 2019 7:32 PM
To: Robert Meador
Cc: Mitchell Chaney (mchaney@mcginnislaw.com)
Subject: Batts
Attachments: Army Game Warden Report.pdf

Bob:

We received a report from the Army pursuant to a FOIA request. Accordingly, pursuant to Rule 26(e), Remington supplements its discovery responses by providing the attached report to you.

Steve

Steven E. Danekas

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ALERTS Narrative

Name: RIOS, DONNA MARIA

Installation: Fort Hood, TX

File >> Other Reports >> Case Action >> Logout

Last Logon: 2015/11/27 1336
Last Logon Unit: Fort Hood, TX

Case CAS Case Relationships Contingency Funds IP Contracts Case Users Narrative Case History

Case Number: 04432-2015-MPC034

UPDATE

Narrative

Case Synopsis

Templates: ☐ Full Narrative ☐ Enclosures Listed in Narrative

On 20151118 at 1245, Patrol 700 (Langford) responded to PK Sportsman Range for an injured soldier. Contact was made with SSG Batts who stated while firing his privately owned firearm, the round did not fire, when the breech was opened the round fired, causing the casing to strike him in the right eye. SSG Batts was transported to CRDAMC where he was treated by Dr Igeboeli for a penetrating injury to the right eye and released. This is a final report.

Additional Information

Templates: ☐ Full Narrative

Enclosures

Attached Enclosure

Number	Enclosure	Action
1	Investigator's Statement (FHT Form 2827) Langford	Delete
2	(b) (6), (b) (7)(A)	Delete

Add

Non-Attached Enclosure

Number	Non-Attached Enclosure	Action
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Add

Name: TONYA C. RANDALL
Grade: GS-07
Title: POLICE SERVICES TECH

OK

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* Indicates a required field.
** Indicates a mandatory field.

INVESTIGATOR'S STATEMENT

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04432-2015
04' 32 15

On 20151118 at approx. 1245 hours Game Warden Patrol 700 (Langford) was dispatched to PK Sportsmens Range, South Range Road for an injured Soldier. Upon arrival I met with the victim (SSG Batts, Samuel) HHT 6/9 CAV, 1CD who verbally related while firing his privately owned H & R 300 AAC Blackout single shot rifle SN# CBA475116, the round initially did not exit the barrel. The breach opened the round fired and SSG Batts was struck in the right eye with the bullet casing resulting in injury to the right eye. I was unable to obtain a written statement from SSG Batts due to injury and follow-on medical treatment. SSG Batts was transported by EMS to CRDAMC where he was treated for an injury to his right eye by Dr. Igeboeli and later released. A witness statement was obtained from Mr. Mayfield, Chadrick a range support operations (Katmai) employee who witnessed the incident. GW 700 (Langford), Inspected the firearm involved in the incident on 20151118 and noted no obvious signs of damage or malfunction of the firearm. I advised SSG Batts to have the firearm inspected by a gunsmith prior to any further use of said firearm. On 2015119 at approximately 0730 GW 700 (Langford) conducted a follow-up telephonic conversation with the witness (Mayfield, Chadrick) who informed me that he had forgotten to include in his statement dated 20151118 that prior to this incident occurring SSG Batts had used a clearing rod to push a previously lodged round from the barrel on said rifle. //// END OF STATEMENT////////////////////

INVESTIGATOR'S TYPED NAME & CREDENTIAL NO.

AL LANGFORD, L-2365

Chief, Game Warden, FT Hood, TX 76544

INVESTIGATOR'S TYPED NAME & CREDENTIAL NO.

SIGNATURE

al langford

Date

19 Nov 2015

EXHIBIT